

**MINUTES**  
**NATURAL RESOURCES COMMISSION**

**December 9, 2010**

**Lansing Center  
333 E. Michigan Avenue  
Lansing, MI**

**PRESENT FOR THE NRC**

Tim Nichols, Chair  
Mary Brown  
Hurley Coleman  
John Madigan  
John Matonich  
J.R. Richardson

**ABSENT FOR THE NRC**

Frank Wheatlake

**PRESENT FOR STAFF**

Jim Riley, Legal Counsel, Office of the Attorney General  
Rebecca Humphries, Director, Department of Natural Resources and Environment  
Frank Ruswick, Deputy Director, Stewardship  
Stacy Welling, Regional Director, Upper Peninsula Region  
Rodney Stokes, Chief, Office of Science and Policy  
Gary Owen, Legislative Liaison  
Debbie Whipple, Assistant to the Natural Resources Commission  
Other Staff

**COMMITTEE OF THE WHOLE**

**Natural Resources Commission (NRC) Chairman Nichols** called the Committee of the Whole meeting to order at 3:00 p.m.

**Director Humphries and Chairman Nichols** thanked retiring **Assistant Attorney General Jim Riley** for his service. **Riley** responded that he has been proud to serve through the years, representing such a great agency (DNRE) and working with good people doing good things.

## **LEGISLATIVE UPDATE**

Legislative report by **Gary Owen, DNRE Legislative Liaison**, is attached.

## **TUBERCULOSIS IN WHITE-TAILED DEER**

**Director Humphries** called on **Dr. Stephen M. Schmitt**, veterinarian and supervisor of the Wildlife Health Section of the Michigan DNRE, to introduce **Mitchell Palmer, DVM, PhD**, a U.S. Department of Agriculture researcher with the National Center for Animal Health in Ames, Iowa, who gave a presentation on bovine tuberculosis (TB) in white-tailed deer. **Dr. Palmer** gave a PowerPoint overview presentation on how tuberculosis is transmitted from animal to animal and what research is being done to prevent or slow the transmission. He reported that bovine TB vaccine research produced evidence of a vaccine that promises to protect deer from developing the active stage of bovine TB.

**Dr. Schmitt** indicated that in addition to Dr. Palmer, two additional TB expert researchers will offer information on the subject. Dr. Dave Ramsey, a researcher with the Arthur Rylah Institute in Australia will speak in January, and in February, Dr. Graham Hickling, a professor with the University of Tennessee, will give a presentation.

## **PURE MICHIGAN HUNT PARTNERSHIP RECOGNITION**

**Kelly Siciliano Carter** of the DNRE Wildlife Division provided brief information on the Pure Michigan Hunt Partnership, which is a project between the DNRE Wildlife Division, Michigan State University (MSU) Department of Advertising and Behavioral Relations, and MSU Department of Fisheries and Wildlife. The Pure Michigan Hunt is a unique hunting opportunity that began in 2009. The research project is reviewing different appeals to market this special hunt opportunity. MSU graduate student Garrett McGuire is evaluating the different marketing appeals that may be helpful in marketing the Pure Michigan Hunt opportunity. Jordan Pusateri Burroughs, an outreach specialist from the Department of Fisheries and Wildlife, is also involved in the project. A radio advertisement was developed through the help of two classes at MSU and the DNRE recognized Dr. Larry Steinberg and his students Sean Francis, Kelsey Gonzales, Chris McMahon, and Chelsea Miller for creating the winning ads. Dr. Nora Rifon is also an important partner and lead coordinator on the project but was unable to attend the NRC meeting.

## **HORSEBACK RIDING ON STATE GAME AREAS**

**Penney Melchoir of the DNRE Wildlife Division** presented an overview of two bills that were enacted earlier this year (Public Acts 45 and 46 of 2010) that focus on trail systems and pack/saddle animal access. **Melchoir** said that the legislation required the DNRE to conduct a review of current access, specifically at the Gladwin Field Trail Area, the Lapeer State Game Area, and Lost Nations State Game Area, and to hold a formal public meeting regarding that review. As part of the process, **Melchoir** reported that the DNRE

has held two meetings – one in Gladwin on November 8 and one in Lapeer on November 10. A third meeting for Lost Nations SGA is scheduled for January 18 in Hillsdale. There also will be an opportunity for additional public comment at the January 13, 2011 Natural Resources Commission meeting in Lansing.

### **DEPARTMENT OF THE INTERIOR PARTNERS IN CONSERVATION AWARD**

**Director Humphries** announced that the Michigan Department of Natural Resources and Environment was the recipient of the 2010 Department of the Interior Partners in Conservation Award from the United States Department of the Interior, in recognition of outstanding conservation achievements attained through collaboration and partnership with others.

### **DIRECTOR ACTION ITEMS DISCUSSION**

#### **Naming Natural Area at Saugatuck Dunes State Park the “Patricia Birkholz Natural Area”**

**Director Humphries** recognized **Senator Patricia Birkholz** as a true champion of Michigan’s natural resources, stating that Senator Birkholz has been a statewide leader on natural resources and conservation issues for more than 30 years and a long-time advocate of preserving the 291-acre natural area of the Saugatuck Dunes State Park for generations to come. Director Humphries went on to say that Senator Birkholz has also been a tireless advocate for protection of the Great Lakes and Michigan’s water resources and has sponsored and supported many pieces of legislation to protect Michigan’s environment and natural resources. Director Humphries recommended that the 291-acre parcel designated as a natural area within the Saugatuck Dunes State Park be named the “Patricia Birkholz Natural Area.”

**NRC Chairman Nichols** adjourned the Committee of the Whole and called to order the Natural Resources Commission regular meeting at 3:55 p.m.

**Commissioner John Madigan** made a motion to support the naming of the natural area at Saugatuck Dunes State Park the “Patricia Birkholz Natural Area.” **Commissioner J.R. Richardson** seconded the motion and **Commissioner Hurley Coleman** made an additional second to the motion. Motion passed.

**NRC Chairman Nichols** adjourned the Natural Resources Commission regular meeting at 4 p.m. and reconvened the Committee of the Whole at 4:30 p.m.

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### **2010 HUNTER EDUCATION VOLUNTEER INSTRUCTOR OF THE YEAR**

**Director Humphries** announced that **Wayne Hoyt** from Commerce Township was named the 2010 Hunter Education Volunteer Instructor of the Year. Mr. Hoyt is a

dedicated individual who has volunteered his time to the hunter education program since 1973.

**Director Humphries** stated that Mr. Hoyt's dedication to the shooting sports doesn't end with the hunter education program. He is a certified NRA range officer and volunteers his time to the NRA's Women on Target program, helps Boy Scouts earn their merit badges for shooting, and volunteers his time operating the pellet gun range at Outdoorama. In presenting the White Pine plaque award to Mr. Hoyt, the Director said it is clear that thousands of young hunters owe their quality outdoor experience to Mr. Hoyt and his efforts.

**Hoyt** thanked his wife, his co-chairman Chet Diamond, and others for their assistance.

### **PUBLIC APPEARANCES**

**Bryan Burroughs, Executive Director of Michigan Trout Unlimited**, expressed his appreciation and gratitude to **Director Humphries** for her years of services and for her open-minded and serious consideration of the group's opinions over the years.

**Burroughs** introduced **Dave Smith, Chairperson of Michigan Trout Unlimited** who presented the Director with a framed print of the original philosophy of Michigan Trout Unlimited, signed by one of the group's founders, Art Neumann, and wished the Director the best in her new role with Ducks Unlimited.

**Ray Marley** of Alpena expressed his views on antler point restrictions. He feels strongly that the NRC should reconsider the antler point restriction for future deer hunting seasons, because accurately counting points is nearly impossible under normal hunting conditions. **Marley** gave a short demonstration with several antlers he brought to the meeting.

**Amy Spray Trotter and Dave Niburg, Michigan United Conservation Clubs**, spoke on the issue of feral swine. They said they appreciate the opportunity to work in developing recommendations for a regulatory program and support the prohibition of feral swine under invasive species regulatory program would be preferred program if it is adequately funded. They are looking forward to working with the 2011 Legislature, however, if there is no legislative action by the middle of the year, they will ask the Department of Natural Resources and Environment to enforce the proposed invasive species order.

**Bobby Cox** from Pittsburg, Michigan, said he supports trapping and hunting wild hogs in Michigan. He is concerned about the danger feral swine pose to the deer population – he fears they are in competition for acreage, and the swine have no natural predator except man. **Cox** said the hogs should be eradicated, but they can't be trapped or hunted in Michigan. He said they will be a big problem if something isn't done.

**Linn Duling, Fisheries Policy Advisor representing the Michigan United Conservation Clubs (MUCC)** indicated that he supports fishing gear restriction proposals. The process was extremely open and fair. Also supports changes to extend the Lake Trout season in Lake Michigan one more month into October and makes it much easier for anglers to harvest Lake Trout.

**Erin McDonough, Executive Director of Michigan United Conservation Clubs (MUCC)** thanked Director Humphries for her work and support over the years, saying the Director has been a true voice for conservation in the state. They appreciate her openness and willing to work with them. **McDonough** said she is looking forward to working with the Director in the Director's new post at Ducks Unlimited.

**Director Humphries** thanked McDonough, adding that MUCC is a world-class organization committed to the management of natural resources. The Director said the state needs the organization and wishes them the best for years to come.

**Gabrielle Hume** of Columbiaville spoke to the Commission regarding horseback riding in the Lapeer State Game Area. She first thanked the NRC members, conservationists, hunters, and anglers for their efforts to protect the environment and resources of Michigan. **Hume** went on to say, however, that she does not believe that over-protection that denies citizens the right to use the land in pursuit of leisure recreation, hunting, fishing, etc, is warranted if those leisure activities do not cause permanent damage to the environment. **Hume** asked the Commission to recommend changes to land use orders that govern Lapeer State Game Area and to allow horseback riding once again.

**Dale Mahrle, President of the Union Lake Shores Association**, spoke on behalf of over 340 riparian land owners and several hundred back-lot owners with legal access to Union Lake located in West Bloomfield and Commerce Townships in Oakland County. **Mahrle** said the association is asking the Natural Resources Commission to table the approval of the acquisition of additional property (Land Acquisition Case #20100226) until certain concerns raised by association members can be researched and analyzed and appropriate decisions taken based on the resulting data as to what the capacity of the lake is for boating as well as several environmental matters. **Mahrle** said the goals of the association are to promote and support appropriate measures to ensure the environmental quality of the lake while providing both riparians and the public with a safe recreational experience. The association is requesting that studies be done to determine the impact on overall water quality, wetlands and the environment in general. **Mahrle** said they are not against a public launch site; they just don't know what the lake can support.

**Tonia Ritter and Ernie Birchmeier, Michigan Farm Bureau**, thanked Director Humphries for her service and leadership of the agency and wished her the best in the future. Always approached what they were looking at in agriculture with an open eye and an open mind. **Ritter and Birchmeier** said they are concerned with the broad nature of the invasive species order regarding feral swine and appreciate the last

minute clarification in Invasive Species Order No. 1 of 2010 with regard to domestic commercial domestic swine production in the state. They don't think the invasive species order is the best way to deal with the problem and prefer working on legislation to get regulations in place that will benefit commercial agriculture, the hunting swine industry, and natural resources of the state.

**Doug Miller of Thunder Hills Ranch** in southern Michigan expressed his concern with work group recommendations on feral swine as an invasive species. He has served on the committee and thinks there are several things in the agreement that were never discussed or brought to the table.

**Jan Herrick, member of the Equine Trailways Subcommittee**, supports horse trails at the Lapeer State Game Area and thinks it is suitable for a network of trails. **Herrick** thinks hunters and fishermen and horse people can all work together so that no one is restricted.

**Jeremiah Moran**, age 12, drove down with his mother and father from the Upper Peninsula to say thanks for having the youth hunt in the U.P. He gave an account of how he shot two giant Canada geese, one on the second day of the hunt. His family ate one at Thanksgiving and will eat the second one at Christmas.

**Tim Kline** of Sparta, Michigan, thanked Director Humphries for her service and commented that she has influenced many women in the state to become sportswomen. He urged the Director not to sign the feral swine invasive species order at the meeting.

**Chauncey Moran**, Jeremiah's father, passed on the love of the people in Michigan's Upper Peninsula to Director Humphries and appreciation for the integrity she has brought to the department.

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Chairman Nichols adjourned the public appearances portion of the meeting at 6:25 p.m. and called the regular meeting to order at 6:25 p.m.

#### **APPROVAL OF MINUTES, NOVEMBER 4, 2010 NRC MEETING**

**Commissioner Matonich made a motion, supported by Commissioner Madigan, that the November 4 NRC minutes be approved. Motion unanimously carried.**

APPROVED:

Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy Nichols, Chair

\_\_\_\_\_  
Director

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### **Generally Accepted Operation Practices (GAOP) for Sport Shooting Ranges**

**Commissioner Brown** made a motion to adopt the recommendations of DNRE staff for portions of *The NRA Range Source Book* for the Generally Accepted Operation Practices (GAOP) for Sport Shooting Ranges and that the NRC review the GAOPs after the NRA has completed its update and then adopt new GAOPs based upon the updated edition. **Commissioner Madigan** supported the motion and it carried. (Click on [www.michigan.gov/documents/dnr/NRC\\_Memo\\_GAOP\\_11-8-10\\_338700\\_7.pdf](http://www.michigan.gov/documents/dnr/NRC_Memo_GAOP_11-8-10_338700_7.pdf) to see recommendations.)

### **DIRECTOR'S ACTION ITEMS**

**Director Humphries** signed all Director's Action items and offered comments on three of the items.

The Director called attention to page 109 of the Agenda in regards to the **Union Lake land acquisition** and read the following language: "After acquisition of the offered property, Harbors and Docks Capital Outlay acquisition funds will be used to remove the building and construct boat launch facilities and parking. Once facilities are in place, the current access site located to the north will be closed and declared surplus and sold." The Director said the intent is to provide for a new access site that will have parking and safer arrangements at that location. The Director indicated that she will ask staff to convey to those who follow behind her – a/k/a Director Rodney Stokes – that as they move forward, they pay close attention in terms of the capacity of the lake.

The Director then commented on **cold water regulations**, saying that there have been quite a few comments and discussions on the issue and the Fisheries Division has done an excellent job moving through the regulations and our user groups have done an excellent job of coming together in trying to find resolutions and work through the issues, and they should be commended. It was a long process and as we move forward, people have different desires on how they like to use natural resources. Taking a measured approach that provides for different opportunities provides greater flexibility in the future, greater desirability, and keeps people engaged at all levels of interest. The Director commended Chief Kelley Smith and his staff on their efforts.

Regarding the **Invasive Species Order**, the Director noted that she met with Representative Bolger, and they agreed that feral swine need to be regulated in this state. Rep. Bolger is willing to move legislation forward and feels that by the time the Legislature recesses next summer will be an adequate time to move forward with regulations – a new law. The Director has asked staff to modify the order to make it effective beginning July 8, 2011. That gives the Legislature time to enact the regulations. The Director asked that as people work on the issue in the future, they come to terms with the two issues that were most difficult for the workgroup. People need to be particularly cognizant of the fact that bio-security concerns need to be

addressed and the program needs to be adequately funded so that it can be supported by the department. The order is being kept in place so that if the Legislature fails to act, the order will go into effect that day. If the Legislature does act and adequately does address the issue, the new director will need to rescind the order and look at ways to modify it.

**Antler Point Restriction Work Group:** See minutes attached.

### **NRC COMMITTEE ON FINANCE AND ADMINISTRATION**

Meeting was called to order at 11 a.m. by Commissioner Matonich in Chair Wheatlake's absence.

**Mark Bouvy, DNRE Budget Office,** gave a presentation on Projected Available Balances and Current Spending Authority for Major Restricted Revenue Funds for Fiscal Year 2010-11. **Bouvy** reported that there is a \$4 million surplus in the Forest Development Fund.

**Lynne Boyd, Chief of the DNRE Forest Management Division,** reported that 2010 was a record year for the timber industry and that the Forest Development Fund is a major portion of funding for forest management resources.

**Jim Kasprzak, Division Chief of the DNRE Financial and Business Services Division,** said because the Department of Natural Resources and Environment will be divided into two separate departments, it will take time to figure out details for a future spend plan and will report at the January NRC meeting on the status of the process.

**Dan Quigley, Analyst, Long-Term Fixed Income, and Greg Parker, Acting Chief Investment Officer, Bureau of Investments, Michigan Department of Treasury,** gave a Natural Resources Related Trust Funds Investment Report, which included a 2010 review and overall outlook for 2011. **Parker** said he expects the economy to grow slowly over the next year and inflation to stay low.

A fund is being set up to invest in Michigan companies, and other options are being considered. \$14 million is being invested, and they are hoping for matching federal funds.

Meeting was adjourned at 12:15 p.m.

### **NRC POLICY COMMITTEE ON WILDLIFE AND FISHERIES**

Meeting convened at 1:15 p.m. Commissioners Madigan, Matonich and Richardson were present from the committee.



### **Inland Consent Decree Update**

**Dennis Knapp, DNRE Executive Division; Gary Whelan, DNRE Fisheries Division; and Pat Lederle, DNRE Wildlife Division** provided an update on tribal relations. Topics for discussion included 2010 permits (walleye, steelhead, and salmon), the notification protocol as well as consultation and collaboration. The number of Walleye Lake Systems permits issued was 135, and Bays de Noc Walleye included 111 permits and 589 harvested. Sixteen permits were issued for Little Manistee Weir Salmon, 16 for protected Steelhead streams, and several permits were issued for a lake scheduled for eradication to repopulate for trout in 2011. Concerning notification, there is a tribal server for online permitting; the RAP room monitors server and notifies LED Districts of tribal activity daily, as well as emails sent to Fisheries staff weekly.

Tribal Elk Harvest: There were three hunt periods this year. The tribes were issued 15 “any sex” tags (five harvested) and 18 “antlerless” tags (five harvested).

Tribal Bear Harvest: 150 tags allocated; 31 bears harvested.

### **Firearm Season Results**

**Brent Rudolph** presented preliminary findings from the firearm season. The number of hunters through November 30 declined four percent from last year, as well as the number of kill tags sold. The decline, however, is consistent with past Monday openers. There was a five percent decline in deer check data in the northern region but a ten percent increase in the southern region. There was also an increase in yearling and antler development in all regions. (See attached.)

### **White-nose Bat Syndrome Update**

**Chris Hoving** presented additional information on White-nose Bats. The current regulations state that bats cannot be euthanized except for human health reasons and that nuisance control operators cannot capture state or federally listed bats. The proposed changes call for humane euthanization of diseased bats and a special species permit for nuisance control operators to capture bats.

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### **COMMISSIONER REPORTS**

**Commissioner Richardson** reported that the Antler Point Restriction Workgroup meeting went well and that a report with recommendations should be available within two months.

**Commissioner Brown** reported that the Committee on Technology, Information, Marketing and Education (T.I.M.E.) will meet again in January and that the issue of technology and outdoor recreation is still being discussed.

**Commissioner Matonich** said that three great reports were given during the Committee on Finance and Administration meeting and that most areas look really good. The DNRE budget office reported on a spending plan; the Treasury Department talked about trust funds; and the Treasury Department also talked about the general economy.

**Commissioner Madigan** reported that during the Committee on Wildlife and Fisheries, Wildlife Division Chief **Russ Mason** gave an update on current bat management and an update on Inland Consent Decree was given, and Brent Rudolph gave a report on firearm season results, which indicates that the number of hunters from last year was down four percent.

**Commissioner Matonich** added that he attended the Trail Council meeting and that good things are coming out of the group. **Matonich** also thinks options for opening days of deer hunting season need to be looked at.

**Commissioner Brown** made a motion to adjourn, seconded by **Commissioner Madigan**. Motion passed and the regular meeting of the NRC was adjourned.

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December 9, 2010

TO: Natural Resources Commission  
DNRE Management Team

FROM: Gary Owen, Legislative Liaison

SUBJECT: DNRE Legislative Update

### **SB 1589 – Senator Richardville**

This bill, introduced on November 30, eliminates the mandated minimum youth hunting age and provides the means for anyone, regardless of age, to obtain a hunting license. It would also put Michigan in line with 31 other states that have a 20 percent higher hunter recruitment rate than states that have a minimum age requirement.

One issue that the Department has with the bill is that as written, the bill would require any youth under the age of 17 to first obtain a hunter safety certificate before they could purchase a hunting license. Therefore taking away the opportunity for a youth under the age of 17 to obtain an apprentice license. This would have a negative impact on the efforts to recruit youth into hunting and outdoor activities. We assume that this was not the intent of the bill and will be working with Senator Richardville to fix the error. The DNRE supports the intent of the bill and looks forward to helping the legislation move forward next session.

**The following legislation was ordered enrolled and is on its way to the Governor:**

### **HB 6261 – Representative Sheltrown**

This bill would allow owners to register a snowmobile that is at least 25 years old as a "historic snowmobile." Such a snowmobile would be owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses including mechanical testing.

The one-time registration fee would cost \$50, with \$3 going to the Secretary of State, \$5 going to the Snowmobile Registration Fund, and \$42 going to the Snowmobile Trail Improvement Fund. Once registered, these snowmobiles would be exempt from three-year registration requirements, as well as the need to purchase an annual snowmobile trail permit sticker. The one-time registration would be good for as long as the snowmobile is owned by the same person.

### **SB 34 – Senator Richardville**

The bill requires the DNRE to expedite the application review process for certain types of construction projects as described in the bill, if the applicant submits all of the

required information for a complete application by the method specified and includes the appropriate fee. Provided all the conditions are met, the DNRE is required to make a decision on the application within 10 business days. If the application is deficient, the bill details how those deficiencies can be corrected and the time frame for doing that.

This bill specifies the authorized expenditure categories for the waterways fund. It also defines "recreational boating facilities," a term that does not currently exist in statute. The enrolled version contains additional Department-supported language that broadens the definition of recreational boating facilities that may be funded through the Waterways Program.

#### **SB 1482 – Senator Switalski**

This bill provides a common sense, practical exemption to the personal floatation device carriage requirement for a very narrowly defined type of vessel. This also brings Michigan law into alignment with existing federal law, eliminating potential confusion for the public and law enforcement officers. The DNRE supports this legislation.

## **2010 Firearm Deer Season Preliminary Harvest Estimates Similar to Last Year**

December 8, 2010

Initial estimates suggest Michigan firearm deer hunters killed about the same number of deer statewide this year as in 2009, according to the Department of Natural Resources and Environment (DNRE). Reports regarding deer harvest ranged widely, from significant increases in some locations to declines in others, potentially a result of concentration of deer around the excellent mast crops available this fall.

The DNRE biologists estimate the harvest compared to 2009 was unchanged to up, perhaps, as much as 10 percent in both the Upper Peninsula and the southern Lower Peninsula and down 5 to 15 percent in the northern Lower Peninsula. Deer from throughout the state were reported to be in good condition, as indicated by improvements in antler development in all regions compared to last year.

As expected, with the mild conditions experienced in the winter of 2009-2010, deer numbers in both northern regions look to be recovering from the effects of prior winters. But hunter numbers appeared down – particularly on public land statewide – likely due to the opening day of the firearm season falling on a Monday this year.

“Most deer hunters support maintaining the traditional season dates of November 15 through 30, but we consistently see a drop in hunter numbers in those years that the season opens on a Monday,” said Wildlife Division Chief Dr. Russ Mason. “This may need to be a topic for discussion as we move to form regional deer advisory teams and engage our conservation partners to discuss long-range management goals.”

“Antlerless quotas were set the same or lower in the Upper Peninsula and western portion of the northern Lower Peninsula, but we emphasized the need for hunters to take does in the eastern portion of the northern Lower Peninsula and much of the southern Lower Peninsula,” said DNRE deer program leader Brent Rudolph. “Efforts to control bovine tuberculosis in deer continue in the northeastern Lower Peninsula. Although deer numbers appear stable over the last few years in much of the southern Lower Peninsula, they’re still high than we’d like to see in many places.”

Rudolph emphasized that the preliminary estimates will be replaced by final figures of harvest and participation generated by the annual mail survey completed once all deer seasons are concluded. Preliminary estimates last year suggested a decline of 10-20 percent from the prior season harvest, and the final mail survey results reflected a drop of 19.8 percent in the firearm kill.

More information on hunting opportunities in Michigan can be found online at [www.michigan.gov/hunting](http://www.michigan.gov/hunting). For additional information about deer, go to [www.michigan.gov/deer](http://www.michigan.gov/deer).

## **Antler Point Restrictions (APR) Workgroup Minutes**

December 9, 2010

### Attendees:

Commissioner John Matonich – Natural Resources Commission  
Commissioner J.R. Richardson – Natural Resources Commission  
Russ Mason – Chief, DNRE Wildlife Division  
Brent Rudolph – DNRE  
Al Almy – Michigan Farm Bureau  
Jason Blitchok – MI Hunters Alliance  
Jim De Clerck – Saginaw Field and Stream Club  
Craig Dicus  
Aaron Fulton – via phone  
Lynn Gould – Mid Michigan Sportmen's Alliance  
Rick Taylor – Upper Peninsula  
Bob Walker – United Sportsmen's Alliance  
John Knevel – Quality Deer Management Association  
Ron Lanford – Lansing Area Chapter of Safari Club  
Curtis Stone  
Jim Sweeney

**Russ Mason** called the meeting to order at 9:10 am.

**Brent Rudolph** reviewed the last meetings discussions and listed the following topics for discussion:

- Final input or consensus on percent of support.
- Sponsors and cost of survey
- Public education and public meetings
- Voluntary efforts
- Size of proposed areas
- Evaluation after five years

Ron Lanford asked about the western states and if there is confusion with regulations like the potential is for Michigan.

Russ said it depends on the state. The confusion or not being aware of regulation changes is more of an eastern issue.

Ron asked if people here would become confused.

Russ said as an example, the APR restrictions this year, many people didn't know about it.

Brent said that the UP is more like the west. Most of MI is their political boundaries vs ecological boundaries.

Curtis Stone asked what were the penalties to those who brought in a “illegal” deer.

Brent said it would be dependant on the officer’s discretion and would be something to consult with Law Enforcement staff on. Check stations are voluntary and not usually enforcement based. Enforcement is more likely to happen in the field.

Russ said that the size of the area is very important to the DNRE. We do not have evaluation and staff to cover multiple small areas. Need larger areas to see effects.

Jason Blitchok said that it makes no sense to determine areas with the ecoregions coming in and having to re-work all the areas again.

Craig Dicus said that two bucks cause conflict and should go down to one buck, neighbors would get along better together. Antlerless deer need to be managed differently. Trophy bucks are in places with one buck regulations. People are willing to pay an extra 5-10 dollars for a license. A lot of hunting pressure in Michigan to harvest antlerless deer.

Brent said that the discussion of one buck and other regulations changes would have to be discussed at the Regional Deer Advisory Team meetings. They are separate items that are not for this groups charge.

Jim Sweeney asked that if larger number of DMUs in a proposal how would survey sample be structured? Equally distributed?

Brent said that there are two different components to the survey.

Russ said it would be a representation across the entire area.

John Matonich said there is no guarantee that the two DMUs get equal representation.

Brent said the info we used to distribute surveys, the location and harvest survey info is used to stratify the survey.

John Knevel asked if there is a way to eliminate the same person getting 2 surveys, exampled one as a landowner and the other as a hunter.

Brent said that we associate names with the survey.

Curtis asked if the promentent UP groups have more influence on the survey.

Brent said that the information on every harvest survey, check station data are used and it is not the same pre and post survey.

Curtis shared concern with the way the media has been talking about APRs working, but in talking to the hunters he is getting a different point of view.

Russ said that it will give the media something else to talk about.

Brent said the process is the DNRE makes a recommendation to NRC and there is a required time for folks to come in to the NRC and comment.

Craig works in the UP and gets lots of comments. Enforcement would be easier if regulations were statewide. If you buy a combo tag, there is a game being played in the UP, they are using other people's tags on illegal deer.

Russ said it is one of the things we will be looking at.

Maury DeYoung said there is no need for APR in a bigger part of the state.

Russ asked what is the size?

John M. said what is the charge of the group? This group is to establish the process. Falls back to the Division to report back to commission. Individual groups can dispute. What else needs to be determined with the process?

John K. said size issues or administration issues , the process should show on behalf of Wildlife Division if a size can or cannot be implemented.

John M. said that when a group approaches the Department and the Department can advise them. So, the size issue will be debated with the Commission. Let the Commission decide. We should focus on issues like the 66%, etc.

Brent reviewed that there was a differing opinion on the % support. Some have objections to the 66% provide input to JR or does the group want to revisit?

Bob Walker said we never officially took a vote.

Jim De Clerk said the general agreement of the group was 66% if you disagree write in your disagreement. Should focus on: Education and how to educate? Cost – how much to charge? Frequency of review. Other issues we resolved. What were we asked to do? Review the process, only change was made on the questions. Haven't gotten to other issues yet.

Bob agreed with Jim, lets vote on 66%.

John M. asked 66% with the new questions?

- YES, with the new questions-

\*5 Minute Break\*



Phones now working – Aaron Fulton and Leeland from Manistee joined the meeting.

John M said that the language of the charge is to look at implications of size. Standard of size, guidelines.

Brent said that there are resource impacts, administrative impacts. Consider if any revisions are needed after 5 years.

Ron said use science based approach to size, DNRE Wildlife determine what size works best.

Russ said we are more interested in “too small”, we need to evaluate the impacts. Don’t want to spend too much time. Size matched to ecological ability to evaluate if the regulation process is successful.

Lynn Gould said there are variations, would you indicate a minimum size?

Russ said the minimum would be something that we could evaluate.

Jim D. said if we said anything smaller than a county we can’t do anything more specific than that.

Russ mentioned that counties in the UP are different sizes.

John M said that some DMUs contain several counties. Can we consider the county size? People know where the county line is.

Craig asked about breaking it into regions? They are little bigger and would provide consistency.

John K like to have Russ come back with some wording.

John M have county be minimal and have Russ evaluate and see if it works for the majority.

Russ said it would be an action item with evaluation if county is the right size and bring back to the group.

Amy T. (MUCC) said a concern is the public education in meetings, presentations of statistics of current harvest areas. Have the baseline info and have it at the review.

Jim D. said the impact of APRs in other areas and their results should be included.

John M said the meetings are important and meeting in the location in the affected area and including education on harvest numbers.

Russ said the Division can present this information neutrally.

Bob said in the past the sponsoring group gave the information with no time for rebuttal.

Lynn said it is important to get non biased information and what the cost is. Schnider is going to operate the State like a private business and you need compensation.

John M said the Department can come up with a meeting format to have the group discuss.

Maury said there needs to be more change then just information in the Digest.

John M said they usually have the changes in the digest the year before the regs take place. The next issue deals with the 66% and if 50% response is the right number. (YES) Given changes with questions is 66% the appropriate number? Vote?

Lynn said there are two things to note. 1. we have changed 3% already by changing the questions. 2. as an example in the farming and agricultural industry on agricultural production, groups can come in and blind side. Educate people in area of concern and have 66% to have support.

Amy said they would like to see if it is possible to include harvest statistics in the survey so they have actual data. Be informed before they vote.

John M asks about the 66% and is there a better number?

Jim D said 66% is commonly used and is considered the super majority, if no one agrees there will be no compliance.

John K said he didn't think the organization should influence how the 66% is determined. Most decisions made on boards don't need majority, needed to turn a law around, remember it is a test program run for 5 years. Not done lightly, working hard to get voters. The authority is in the NRC to place it or not.

Jason said he would like to see the 66% stay .

Russ took a vote all those in favor of the 66%: 12 Yes, 1 No

John K said that QDMA cannot live with the 66% decision.

John M said a subset of that is cost.

Jim D said that anytime the DNR is asked to do something out of the normal it ought to be funded for by the asker the people proposing need to pay.

John K – the legislature needs to determine if a fee is imposed. We have a right to petition the government. They didn't do that with other groups. Still have public duties to do.

Brent said that it has been \$2,000 in the past and the \$2,000 offsets part of the cost. Organizations have provided that portion and the timeline, occupying staff time is the burden and administrative process.

Bob gave some examples of calculations his group has done. The sponsoring group pays \$2,000 and the overall cost is \$6 – 7,000. Hunter's and Trappers pay the rest of the fee, it comes from the general fish and game fund.

John K said it is a person's right to petition the government for changes. Is this just to dampen APRs?

Jim D said to charge those people with the request and the cost is determined by the DNR.

Jason said it should be a set amount.

Russ gave the example of the Resident Goose Program and how they went through a process to cover the costs. Maybe the 1<sup>st</sup> time is fine but if you come back again it will hurt.

Jason said if someone is that passionate they will have the money.

Russ said making the proposing group pay the whole thing sounds wrong. What is the right number?

Craig said it is inexpensive to do it over the internet. Present them with a survey online.

Brent said that mailing is expensive and could do surveys online, but it would still cost the same amount of staff time.

John K said that in relation to the goose issue, because that was direct personal gain, ok to charge, but asking for a change in hunting regulations there is not guarantee for personal gain.

Russ said there needs to be a mechanism in place to avoid frivolous attempts to make regulation changes.

John K said he would support that. Needs to be fair to same group, same area, same proposal. What is a person's right to address government?

Jim S said people don't have to pay they can go directly to the NRC, it is a social change.

Russ asked what the cost should be.

Jim D said don't put any price on it.

Russ said we want at least a minimum fee.

Jason said something that should be a base.

Bob said \$2,000 is about 30%, the cost should be more than that.

Lynn said he agreed that it should be more.

JR asked how many times this has come up in the past 5 years?

Brent said there has been a moratorium the last 5 years. Has had about 15 times survey after 5 years or survey for changes, Maximum was in 2002 when there was about 5 surveys at once. No more then 2 or 3 per unit allowed at one time.

Russ said 15 surveys is a lot of time.

Jim D said he had to leave. Wanted to share about the evaluation time frame; 1<sup>st</sup> time should be 3 years after that 5 years.

Russ said 3 years isn't long enough to see changes at check stations.

Brent said it is not long enough. 3 years is not a biological impact. 5 years is a challenge to see changes in individual DMUs.

Russ said the data we get cannot answer the questions.

Brent said 5 years accumulated experience on what people think.

Ron asked if there is a charge for the follow up survey.

Brent said that there is not. We haven't in the past and wont in the future.

Russ said we think 5 years gives us time to evaluate.

Craig asked if there are mandatory deer registration? They are more expensive, yes, talked to many hunters who would pay.

Russ said mandatory check works in places like Nevada because deer are valuable there. They aren't as valuable here.

Craig said the deer are a varmint here.

Brent said they ask the groups to help get people to come into check stations.

Russ said that base cost is difference between 1<sup>st</sup> application and last application.

Jim S asked if the length is necessary to get data.

Amy said that 5 years crosses administrations in the political realm.

Russ asked if the group is comfortable with 5 years.  
12 votes Yes for 5 years.

Russ asked about a base cost to move things forward. Should there be a base cost?

Bob in 2002 all those who filed failed where is deterrent not to apply?

Russ said he wants a positive incentive to go big.

John K said there should be no fee to talk to government.

Russ asked if everyone agrees to the need for a base cost. YES.

JR said to bring opinions to the next meeting.

Craig said to put a cap on it.

Russ asked about a graduating fee?

John K asked if that would be a can of worms and be problematic?

Jim S asked about a geographic area. 5 years before it can be brought forward again?

Amy said the same geographical area vs a different change?

John K said to do a proposal and after 3 years a group is sick of it and bring in a separate proposal.

Brent said no changes are allowed for 5 years. After 3 years a petition to drop the proposal can be made. The # of signatures requires a survey before 5 years. Establish a minimum time, don't have to entertain every proposal. If a group puts effort into education then might be different.

Curtis said the whole discussion will be a mute point. Do not want the government to tell me I can't shoot a spike. APRs are voluntary. Education process is working in Michigan.

Jason thinks a lot of people are just saying the practice voluntary APRs.

Curtis said there are some that don't follow, but the mentality is changing.

Russ said we have to update the process.

Jim S asked if in the TB are will there be a moratorium on these.

John K said ultimately the commission will decide on this policy. As a commissioner your still free to do an override.

Russ said voluntary efforts are a good thing. Do we have a role in promoting?

Craig said a lot of people are practicing and voluntary does work and it is the benefit of letting smaller bucks god. One buck would help promote this, and helps landowners, makes it more voluntary.

Brent said not many folks would argue against voluntary. In addition to a fee to have groups explore ideas of promoting voluntary APRs

John K said they need a physical application, what is your history in voluntarily doing this APR in the past, what have you don't to try and improve it?

Brent said with it in the past it has been a discussion with the supervisor in the area.

John K said in southern Michigan there are a lot of co-ops. They work fantastically every body has seen improvement in his co-op, all voluntary.

Jason said he is a public land hunter but now the agreement on landowners and it is an unwritten rule and how does that blend into state land? Always the landowner issues. Mentality will come over into state land.

Ron asked by voluntary efforts what do you mean?

Russ said for example the Maple River co-op. Wildlife Certification programs probably do more to promote voluntary APRs.

Jim S asked about tabling the cost issue.

Russ said everyone should figure out what they think a base cost should be for the next time.

Bob asked if the 5 year waiting period was resolved.

Jason said he thinks it is also and educational thing; maybe didn't get it out to the public.

Brent asked what is different the next time you apply?

Russ said the quality control measure.

Jason said it is always a gray area.

Brent said grounds in review to suggest any different outcome.

JR said if a group wants a number in there then it is up to the Department.

John K said if a group comes back it is their right.

Curtis said he would be comfortable with 3 years.

Jim S said he would want both sides to have an equal chance. They are social regulations.

Russ said if it is 5 years we can tell you if it worked.

Lynn said Clare county had it for 5 years and had no significant change. Can look at it from both sides.

Brent said we can make edits to the document re-evaluating the time line our staff will be on hot seat unless you choose to word.

Lynn asked would staff be comfortable sending out issues for groups to weigh in and not vote?

Amy said examining county as a minimum size unit.

JR said if someone feels strongly write a one pager so folks will read it and Commission will go forward.

1 month from now provide points of disagreement.

A member of the public who was also planning on speaking at the Commission meeting later wanted to share some thoughts on APRs in 487. He thought they should reconsider the APRs because it is hard to see and county points in the field. Visibility is difficult. APR is setting up hunters to fail. Where is the science? What does this have to do with stopping the spread of TB?